**SCANNED** 

### UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

DR. JUDY WOOD on behalf of the UNITED STATES OF AMERICA Plaintiff, VS. § APPLIED RESEARCH ASSOCIATES, § INC.; SCIENCE APPLICATIONS § INTERNATIONAL CORP.; § BOEING, NuSTATS; COMPUTER AIDED ENGINEERING ASSOCIATES, § INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ MURRAY STEFICEK LLP; HUGHES ASSOCIATES, INC.; AJMAL ABBASI; § EDUARDO KAUSEL; DAVID PARKS; DAVID SHARP; DANIELE VENEZANO; JOSEF VAN DYCK; KASPAR WILLIAM; § **ROLF JENSEN & ASSOCIATES, INC.**; § ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON GUMPERTZ & HEGER, INC.; S. K. GHOSH ASSOCIATES, INC.; SKIDMORE, OWINGS & MERRILL, LLP; TENG & ASSOCIATES, INC.; UNDERWRITERS LABORATORIES, INC.; WISS, JANNEY, ELSTNER ASSOCIATES, INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; § and UNITED AIRLINES, Defendants.

Case No. 07CV3314 (GBD)

MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I Adam S. Ennis, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Gail D. Zirkelbach Jackson Kelly PLLC 1099 18th Street, Suite 2150

Denver, Colorado 80202

303-390-0003 Telephone: Facsimile: 303-390-0177

gdzirkelbach@jacksonkelly.com Email:

Gail D. Zirkelbach is a member in good standing of the Bar of the States of Colorado and California. There are no pending disciplinary proceedings against Gail D. Zirkelbach in any State or Federal court.

Respectfully submitted,

Adam S. Ennis

SDNY Bar No. AE9468

Jackson Kelly PLLC

Three Gateway Center, Suite 1340

Pittsburgh, PA 15222

Telephone: 412-434-8804 412-434-8062 Facsimile:

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#### **CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing Motion to Admit Counsel Pro Hac Vice has been sent via U.S. mail, postage prepaid, on this 24th day of January, 2008 to the following counsel of record:

All All Sell Lulie A. Kehrer

Jerry V. Leaphart Jerry V. Leaphart & Assoc., P.C. 8 West Street, Suite 203 Danbury, CT 06810 Counsel for Relator

Chad E. Sjoquist, Esq. Zetlin & De Chiara, LLP 801 Second Avenue New York, NY 10017 Counsel for Skidmore, Owings & Merrill, Llp

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{D0466176.1}

# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

DR. JUDY WOOD on behalf § of the UNITED STATES OF AMERICA § § Plaintiff, § § VS. § § APPLIED RESEARCH ASSOCIATES, § Case No. 07CV3314 (GBD) INC.; SCIENCE APPLICATIONS § INTERNATIONAL CORP.; § BOEING, NuSTATS; COMPUTER AIDED ENGINEERING ASSOCIATES, INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ § AFFIDAVIT OF ADAM S. ENNIS IN MURRAY STEFICEK LLP; HUGHES SUPPORT OF MOTION TO ASSOCIATES, INC.; AJMAL ABBASI; ADMIT COUNSEL PRO HAC VICE EDUARDO KAUSEL: DAVID PARKS; DAVID SHARP; DANIELE VENEZANO; § JOSEF VAN DYCK; KASPAR WILLIAM; § ROLF JENSEN & ASSOCIATES, INC.; ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON GUMPERTZ & HEGER, INC.; § S. K. GHOSH ASSOCIATES, INC.; SKIDMORE, OWINGS & MERRILL, 8 LLP; TENG & ASSOCIATES, INC.; § UNDERWRITERS LABORATORIES, § INC.; WISS, JANNEY, ELSTNER ASSOCIATES, INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; § and UNITED AIRLINES, § § Defendants.

Adam S. Ennis, being duly sworn, hereby deposes and says as follows:

I am an attorney at Jackson Kelly PLLC, counsel for Defendant, Applied Research Associates, Inc., in the above captioned matter. I am familiar with the proceedings in this case. I make this statement based on personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Gail D. Zirkelbach as counsel pro hac vice to represent Defendant Applied Research Associates, Inc. in this matter.

- 2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in the State of New York on April 15, 1991. I was also admitted to practice law in the Commonwealth of Pennsylvania on May 31, 1994. I was admitted to the bar of the United States District Court for the Southern District of New York in 1991, and am in good standing with this Court.
- 3. I have known Gail D. Zirkelbach since January 2007.
- 4. Gail D. Zirkelbach is an attorney at Jackson Kelly PLLC in Denver, Colorado.
- I have found Gail D. Zirkelbach to be a skilled attorney and a person of integrity. She is 5. experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
- 6. Accordingly, I am pleased to move for the admission of Gail D. Zirkelbach, pro hac vice.
- 7. I respectfully submit a proposed order granting the submission of Gail D. Zirkelbach, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Gail D. Zirkelbach, pro hac vice, to represent Defendant Applied Research Associates, Inc. in the above captioned matter be granted.

Dated: 1) Vol 04 City, State: Pittsburgh, PA

Adam S. Ennis

Respectfully submitted

SDNY Bar No. AE9468

COMMONWEALTH OF PENNSYLVANIA

**COUNTY OF ALLEGHENY** 

Subscribed and sworn to before me this

Ennis.

My Commission expires:

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Tracie S. Turoczy, Notary Public City Of Pittsburgh, Allegheny County My Commission Expires Sept. 27, 2011

Member, Pennsylvania Ass@ciation of Notaries

# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

DR. JUDY WOOD on behalf	<b>§</b>
of the UNITED STATES OF AMERICA	<b>§</b>
	<b>§</b>
Plaintiff,	§
	§
VS.	<b>§</b>
	<b>§</b>
APPLIED RESEARCH ASSOCIATES,	<pre>\$ \$ Case No. 07CV3314 (GBD)</pre>
INC.; SCIENCE APPLICATIONS	
INTERNATIONAL CORP.;	<b>§</b>
BOEING, NuSTATS; COMPUTER	<b>§</b>
AIDED ENGINEERING ASSOCIATES,	§ §
INC.; DATASOURCE, INC.;	<b>§</b>
GEOSTAATS, INC.; GILSANZ	<b>§</b>
MURRAY STEFICEK LLP; HUGHES	§ ORER TO ADMIT COUNSEL
ASSOCIATES, INC.; AJMAL ABBASI;	§ PRO HAC VICE
EDUARDO KAUSEL; DAVID PARKS;	<b>§</b>
DAVID SHARP; DANIELE VENEZANO;	<b>§</b>
JOSEF VAN DYCK; KASPAR WILLIAM;	<b>§</b>
ROLF JENSEN & ASSOCIATES, INC.;	<b>§</b>
ROSENWASSER/GROSSMAN	<b>§</b>
CONSULTING ENGINEERS, P.C.;	<b>§</b>
SIMPSON GUMPERTZ & HEGER, INC.;	<b>§</b>
S. K. GHOSH ASSOCIATES, INC.;	<b>§</b>
SKIDMORE, OWINGS & MERRILL,	<b>§</b>
LLP; TENG & ASSOCIATES, INC.;	§
UNDERWRITERS LABORATORIES,	§
INC.; WISS, JANNEY, ELSTNER	<b>§</b>
ASSOCIATES, INC.; AMERICAN	<b>§</b>
AIRLINES; SILVERSTEIN PROPERTIES	
and UNITED AIRLINES,	§
<b>D</b> 0 1 .	8
Defendants.	§

Upon the motion of Adam S. Ennis attorney for Applied Research Associates, Inc. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

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Gail D. Zirkelbach
Jackson Kelly PLLC
1099 18th Street, Suite 2150
Denver, Colorado 80202
Telephone: 303-390-0003

Facsimile:

303-390-0177

Email:

gdzirkelbach@jacksonkelly.com

is admitted to practice pro hac vice as counsel for Applied Research Associates, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at <a href="mailto:nysd.uscourts.gov">nysd.uscourts.gov</a>. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:	
City, State: New York, NY	
	United States District/Magistrate Judge

{D0466176.1}



## Supreme Court of California

FREDERICK K. OHLRICH

Clerk of the Court

## CERTIFICATE OF THE CLERK OF THE SUPREME COURT OF THE

#### STATE OF CALIFORNIA

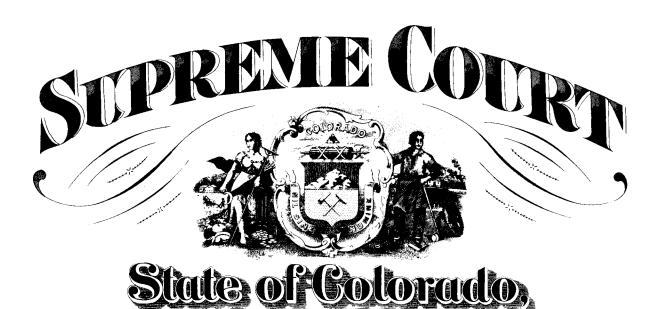
### GAIL DEBRA ZIRKELBACH

I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that GAIL DEBRA ZIRKELBACH was on the 3RD day of JANUARY 1996, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that her name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.

> Witness my hand and the seal of the court, this 10th day of JANUARY, 2008.

FREDERICK K. OHLRICH

Clerk of the Supreme Court



STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

### GAIL DEBRA ZIRKELBACH

has been duly licensed and admitted to practice as an

# ATTORNEY AND COUNSELOR AT LAW

			•
within this S	State; and that his	/her name appears	upon the Roll of Attorneys
and Counseld	ors at Law in my	office of date the	15 <sup>th</sup>
day of	February	A. D. <b>2000</b>	_ and that at the date hereof
the said	GAIL D	EBRA ZIRKELBA	1 <i>CH</i>
is in good sto	anding at this Bar	·.	

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this			
14 <sup>th</sup>	day of	January	A. D. 2008
	Susan	J. Festag	Clerk